

F I L E D
SEP 03 2013
CLERK'S OFFICE
DETROIT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Criminal No. 13-cr-20518

Plaintiff,

HON. Denise Paige Hood

v.

D-1 HAPPY ASKER

D-2 MAHER BASHI

D-3 TOM J. YALDO

D-4 ARKAN SUMMA

D-5 TAGRID SUMMA BASHI

Defendants.

PROTECTIVE ORDER

A motion having been made by the United States pursuant to Rule 16 of the Federal Rules of Criminal Procedure for a protective order which prohibits the disclosure of materials provided in discovery, and information contained therein, by defense counsel except for the purpose of the legal

defense in the case captioned above, and which restricts the disclosure and use of materials by the defendant, it is hereby ORDERED, as follows:

1. With respect to all "Discovery Materials" (documents and recordings), disclosed by the Government to defense counsel of record in this case, and information contained therein, such defense counsel of record and their agents (members of defense counsels' offices who are directly engaged in assisting in the legal defense of this case, and other persons engaged by defense counsel of record for the purpose of assisting in the legal defense of this case) may further disclose such materials, or information contained therein, only for the purpose of the legal defense of the above-captioned case. Discovery Materials are defined as: tax returns and return information, as defined in 26 U.S.C. § 6103; financial records, as defined in 12 U.S.C. § 3401; and any other documents and/or recordings containing personal identifying information such as names, date of birth, addresses, bank account and/or routing numbers, and social security numbers.

2. Defense counsel of record may disclose Discovery Materials, and information contained therein, to potential witnesses only for the purpose of the legal defense of this matter, provided that defense counsel

have made a good faith determination that such disclosure is necessary to the proper preparation of the legal defense in this case. In addition, defense counsel of record must redact any social security numbers, dates of birth, home addresses, names of minor children, and financial account numbers of third parties from the copies of materials shown to or played for such witnesses.

3. Prior to disclosing any Discovery Materials, or information contained therein, to any potential witness, expert witness and/or defendant as set forth in Paragraphs 1 and 2 of this Order, defense counsel of record shall fully explain the terms of this Order and obtain from each potential witness, expert witness and/or defendant to whom such disclosure is made, an acknowledgment of the terms of this Order and their agreement to comply with its terms. Each potential witness, expert witness and/or defendant to whom disclosure is made by defense counsel shall endorse a copy of this Order and defense counsel of record shall maintain such endorsed copy of this Order until the conclusion of this matter. In the event that a potential witness, expert witness or defendant declines to endorse a copy of this Order, defense counsel of record shall: note and date on a copy of this Order the refusal of the potential witness, expert witness or

defendant to sign and acknowledge this Order; explain to the potential witness, expert witness or defendant that whether or not they sign and acknowledge this Order they are bound by its provisions; and maintain such copy of this Order until the conclusion of this matter.

4. In the event there is reason to believe that an improper disclosure of Discovery Materials has been made, upon a showing by the Government to the Court of the same, the Government shall have access to the relevant endorsed copies of this Order and any filings made by defense counsel of record with the Court made under this Order.

5. No Defendant, nor any other person receiving from defense counsel of record, or their agents, Discovery Materials, or the information contained therein, that have been disclosed to defense counsel by the Government in this case, is permitted to further disseminate or further disclose such Discovery Materials, or information contained therein, for any purpose at any time.



United States Magistrate Judge

Date: 9/3/13